IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2047 OF 2004
WITH
INCOME TAX APPEAL (L) NO.831 OF 2004

The Commissioner of Income Tax .. Applicant.

V/s.

M/s.Johnson and Johnson Ltd. .. Respondent.

Mr.R.G. Bhatt i/by Mr.Pankaj Kapoor for the applicant.

Mr.Subhash S. Shetty for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 9TH JULY, 2007.

P.C. :

1. There is delay of about 250 days in preferring the Appeal. Additional affidavit has been filed in support of the earlier affidavit. From the dates given, we find that the order was received by the Department on 9th July, 2003 and was forwarded to the Ministry on 20th October, 2003. The draft was received sometime on 2nd December, 2003 and the Appeal was filed on 13th July, 2004. It has been explained that the last date of filing Appeal was in April, 2003. On account of the administrative difficulties and time taken for purchasing the stamp papers, the Appeal could not be filed in time. There is no affidavit opposing the averments in this

affidavit.

2. Considering the cause shown, in our opinion, the same would amount to sufficient cause. Hence, delay condoned. The motion is made absolute in terms of prayer clause (a). Office to register the Appeal.

3. The notice of motion disposed of accordingly.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)